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Commissioner for Patents  
PO Box 1450  
Arlington, VA 22313-1450

On December 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Karen Karlin

1642  
Kw

PATENT  
Docket No.: 021044-001210US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Yasumichi Hitoshi et al.

Application No.: 10/026,021

Filed: December 21, 2001

For: SAK: MODULATION OF  
CELLULAR PROLIFERATION FOR  
TREATMENT OF CANCER

Examiner: Misook Yu

Art Unit: 1642

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 23, 2004, Applicants elect cellular proliferation for the first species, and A549 as the cell line for the second species.

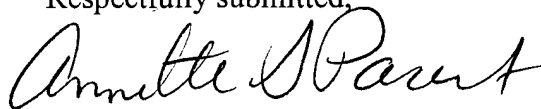
Should the above elected species be found allowable, then additional species should be rejoined and searched.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Yasumichi Hitoshi et al.  
Application No.: 10/026,021  
Page 2

PATENT

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Annette S. Parent".

Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
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PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/026,021
Filing Date	December 21, 2001
First Named Inventor	Hitoshi, Yasumichi
Art Unit	1642
Examiner Name	Misook Yu
Attorney Docket Number	021044-001210US

**ENCLOSURES (Check all that apply)**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard; Response to Election of Species |
|--|---|---|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Annette S. Parent		
Date	12/22/04	Reg. No.	42,058

**CERTIFICATE OF MAILING**

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Signature			
Typed or printed name	Karen Karlin	Date	12-22-04